## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent-Appellee,

VS.

CHRISTOPHER ALLEN KIMSEL, Petitioner-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 01-1-0121)

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI

(By: Moon, C.J., for the court<sup>1</sup>)

Petitioner-appellant Christopher Allen Kimsel's application for writ of certiorari, filed January 27, 2003, is denied.

DATED: Honolulu, Hawai'i, February 5, 2003.

Craig T. Kimsel and Jonathan E. Burge, for petitioner-appellant

FOR THE COURT:

Chief Justice

<sup>&</sup>lt;sup>1</sup> Considered by: Moon, C.J., Levinson, Nakayama, and Acoba, JJ., and Circuit Judge Alm, assigned by reason of vacancy.